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Return of plovers renews debate over protection

By Alexander Reid
GLOBE STAFF

Piping plovers, the diminutive seabird that breeds and nests on beaches along the Atlantic Coast from Canada to South Carolina, have returned to the region and over the next several weeks will be the focus of much attention.

Conservationists will be promoting controversial measures to restore the population of plovers, an endangered species, as part of the ongoing national effort to save the bird.

Off-road vehicle enthusiasts will be agitating for more beach access during the plover nesting season.

And the US attorney's office, which filed suit last week against Plymouth over its plover program, will be trying to force the town to adopt more stringent protection guidelines.

Sightings of the fragile, sand-colored birds were made in Scituate at Third Cliff and also along Duxbury Beach last Monday.

These early arrivals will scout the beach environs before choosing a

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1994 GLOBE PHOTO / MARK WILSON

A piping plover chick huddled next to its mother, whose nest still contained three unhatched eggs.

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nest site, said Scott Hecker, director of the Massachusetts Audubon Society's coastal wetlands program.

The birds create nests out of depressions in the sand, preparing for the egg-laying season, which begins around Patriot's Day and continues into late May. The eggs take about 27 days to hatch.

The first chicks emerge from the eggs during the second and third week in June, spending their days foraging for food. They will become strong enough to fledge, or fly from their nests, by late July.

For Hecker and other conservationists, the next several weeks are crucial to the plover recovery program.

"Every nest is important," said Hecker, adding, "the success of the program lies in how well we can protect these nests and protect the chicks when they hatch."

The size and color of adult plovers and their chicks make them almost invisible to off-road vehicle drivers and passersby. As a result, the nest areas have to be closely monitored.

"For every chick that means having personnel available to keep them from being chased by dogs, harassed by people on foot, or run over by vehicles," said Scott Melvin, director of the plover protection program for the state Division of Fisheries and Wildlife.

Sections of beaches are usually cordoned off with temporary fencing to minimize or eliminate hazards. Off-road vehicles are restricted to travel corridors or prohibited altogether from some beach areas.

Every year, the restrictions raise a howl of protest from drivers of off-road vehicles who say the measures are too strict, depriving them of beach access.

Most communities have yielded to the concern raised by conservationists but in Plymouth the

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plover issue has escalated into a full-blown battle between the town and the federal government.

For years, the town has spurned demands that it adopt federal guidelines on protecting the bird. Instead, Plymouth has relied on its own plan, which federal environmentalists say offers less protection for the birds.

In June 1996, a plover chick was run over by a vehicle on the beach, igniting charges that the town's protection plans were inadequate.

Last summer, the US Fish and Wildlife Service, the Massachusetts Division of Fisheries and Wildlife, and the town signed an agreement to implement a set of more rigorous measures.

The Plymouth selectmen later rescinded the agreement after listening to complaints from off-road drivers. The selectmen also fired John Crane, the beach manager who helped craft the agreement.

Months of negotiations between the government and the town have failed to produce a settlement.

Last Wednesday, the US attorney's office filed a civil complaint against the town for failure to enforce the Endangered Species Act. The suit was filed in US District Court in Boston.

Amy Rindskopf, spokeswoman for the US attorney's office, said the town has 30 days to reply to the complaint.

Plymouth town manager Donald Jacobs said town officials are aware of the legal action, but the town remains committed to imposing its own plover guidelines.

The town met with federal environmental authorities on Thursday to discuss the issue further. Jacobs said the town will also review the complaint before preparing a response.

In the meantime, conservationists and town employees in Scituate and Duxbury are busy preparing for the plover nesting season.

The Audubon society recruits volunteers and also hires a staff to monitor the nests.

At Scituate's Third Cliff, where two pairs of plovers nested last year and produced three chicks, two volunteers and a college intern working full-time will be deployed to protect the birds, said Hecker.

Last year, late night revelers celebrating July Fourth tore down a fence surrounding the plover colony and tramped through a nesting area. No nests were destroyed, but conservationists and town officials were upset.

On Duxbury Beach, where 12 nesting pairs of plovers fledged 16 chicks last year, Ryan Chandler, the town's endangered species officer, oversees a staff of 13 paid monitors. A \$25,000 grant from the Trustees of Reservations helps pay a portion of the costs for the protection efforts, said harbor master Donald Beers.

"We're fully prepared," said Beers, who helps direct the plover effort. "Any plover that nests on our beaches will be fully protected. It's something that the town takes very seriously."